

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
NEWARK DIVISION**

**Civil Action No. 2:15-cv-01878**

THEODORE VAN LEER, et. al,

Plaintiffs,

v.

INVICTUS ASSET MANAGEMENT, LLC, INVICTUS  
CAPITAL GROWTH AND INCOME FUND, LLP  
INVICTUS HOLDINGS, LLP, TRADEDESK CAPITAL LLC,  
TRADEDESK FINANCIAL GROUP, INC., TRADESTREAM  
ANALYTICS, LTD., INVICTUS INCOME FUND, LLP,  
DAVID W. SCHAMENS, PHILLIPS WIEGAND JR.,  
PILIANA M. SCHAMENS, INVICTUS REAL ESTATE  
INVESTMENT, LLP

Defendants.

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APR 13 2015

AT 8:30 2:15 P  
WILLIAM J. VAN LEER

**MOTION FOR EXTENSION OF TIME TO FILE ANSWER AND RETAIN  
COUNSEL FOR CORPORATE ENTITIES**

Defendants Piliana M. Schamens, individually and as Managing Member of the General Partner of Invictus Capital Growth and Income Fund, LLP and Invictus Income Fund, LLP, and as Member of Invictus Asset Management and the General Partner of Invictus Holdings, LLP moves the Court, pursuant to Federal Rules of Civil Procedure, for an extension of time to respond to Plaintiff's Complaint (the "Complaint") on the grounds that the defendants need additional time to investigate and prepare and an adequate Response as well as retain counsel. I nor the other Defendants mentioned above were not served on March 18, 2015 as presented by the Plaintiff's counsel. I reside at an address other than David W. Schamens (who was served) two weeks out of the month including that date March 18, 2015, due to my responsibilities as the guardian of two teenage girls.

This Motion is made in good faith, not for the purposes of delay and is filed prior to the expiration of the time originally prescribed to respond to the Complaint.

Dated: April 8, 2015

By: /s/ **Piliana M. Schamens**

**Piliana M. Schamens**

Managing Member of the General Partner of, ,  
INVICTUS CAPITAL GROWTH AND INCOME  
FUND, LLP, INVICTUS INCOME FUND, LLP,  
INVICTUS HOLDINGS, LLP

Member

INVICTUS ASSET MANAGEMENT, LLC

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